1947. File No. Lepers II/47

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Legal DEPARTMENT

B BRANCH

Subject: Rules and Notifications Under Lepers Act, 1898.

P.23/
B.

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Draft notification at p. 27 ante:- It is in order as amended. In his letter at p. 1 ante, the Surgeon General with the Government of Bombay refers to the area of "Alibag". It is not clear whether the whole taluka of Alibag is intended to be included or Alibag municipal limits as stated in the G.D. draft notification. The G.D. is requested to verify this, before the notification is issued.

2 Draft notification at p. 29:- This notification has been split up into two separate revised draft notification under sections 3 and 5 respectively, which aresent herewith.

3 Draft notification at p. 31:- It is in order, as slightly amended.

4 Draft notification at p. 33:- It is in order, as slightly amended.

5 Draft notification at pages 35-36:- Section 9 of the Lepers Act, 1898, empowers the Provincial Governmen to order that no leper shall carry on any of the trades within any of the areas specified under section 3. The G.D. draft notification refers to the areas "specified above" which reference is unintelligible. Accordingly, the G.D. should fill in the Schedule all the areas mentioned in the notification under section 3.

6 Draft notification at p. 37:- It is in order, as slightly amended.

7 Draft notification at pages 39-42:- A revised draft notification containing the Pui Leper Asylum Rules, 1947, is sent herewith. The G.D. should verify whether the revised draft meets with its requirements.

R L A

U.R to G.D. No 3871 19th April 47

Id./ P.M.L. 18/4

O.C. Remembrancer of Legal Affairs.

U.R. to G.D. , No. 3879 , dated the 19th April 1947.

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NOTIFICATION

General Department
Bombay Castle 1947.

Lepers Act,1898. No. In exercise of the powers conferred by sub section (4) of section 1 of the Lepers Act, 1898 (III of 189 the Government of Bombay is pleased to apply the said Act to following areas in the Kolaba district , namely;-

1) Alibag municipal limits
2) Mahad Taluka
3) Matheran municipal limits.
4) Panvel taluka
5) Pen taluka
6) Roha taluka
7) Uran Peta

By order of the Government of Bomba

Secretary to Government.

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NOTIFICATION

General Department.
Bombay Castle, 1947

Lepers Act, 1898. No. - In exercise of the powers conferred by section 3 of the Lepers Act, 1898(III of 1898), the Government of Bombay is pleased to appoint the institution mentioned in column 1 of the subjoined table to be a Leper Asylum for the purposes of the said Act, to specify the local areas entered in column 2 of the table as those from which lepers may be sent to the Asylum and to constitute for the Asylum the Board indicated in column 3 of the table;-

Institution appointed as Asylum for the purposes of the Lepers Act, 1898.	Local areas from which lepers may be sent.	Constitution of the Board.
Leper Hospital, Puri	A (a) The town and Island of Bombay, (b) that part of the Thana Taluka which is encircled by the Bassein-Thana Creek including territorial waters appertaining thereto, (c) the limits of the railway lands from a point immediately beyond the Thana Railway Station to the Kalyan Railway Station (inclusive) on the G.I.P. Railway, (d) the limits of the Railway lands from a point immediately beyond the Bhayander Railway Station to the Virar Railway Station (inclusive) on the B.B. and C.I. Railway, (e) the following areas in the Kolaba District, namely:- Alibag, Municipal limits, Uahad Taluka, Matheran Municipal limits, Panvel Taluka, Pen Taluka, Roha Taluka and Uran(Peta). /A	B/ (1) The Collector of Kolaba. (2) The Civil Surgeon, Alibag, (3) The Executive Engineer, Alibag. (4) An Officer nominated by the Backward Class Officer, Bombay Province /B

By order of the Governor of Bombay,

Secretary to Government.

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NOTIFICATION

General Department,

Bombay Castle, 1947.

Lepers Act, 1898 No. In exercise of the powers conferred by section 5 of the Lepers Act, 1898 (III of 1898), the Government of Bombay is pleased to appoint the Leper Hospital at Roha in the Roha taluka of the Kolaba District to be a leper asylum to which lepers from the following areas may be sent, namely;-

(a) The town and Island of Bombay, (b) that part of the Thana Taluka which is encircled by the Bassein-Thana creek including territorial waters appertaining thereto, (c) the limits of the railway lands from a point immediately beyond the Thana Railway Station to the Kalyan Railway Station (inclusive) on the G.I.P. Railway, (d) the limits of the Railway lands from a point immediately beyond the Bhayander Railway Station to the Virar Railway Station (inclusive) on the B.B. and C.I. Railway (e) the following areas in the Kolaba District, namely;-

Alibag municipal district, Mahad Taluka, Matheran municipal district, Panvel Taluka, Pen Taluka, Roha Taluka and Uran (Peta).

By order of the Governor of Bombay,

Secretary to Government.

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NOTIFICATION

General Department,

Bombay Castle, 1947.

Lepers Act, 1898

No. In exercise of the powers conferred by section 5 of the Lepers Act, 1898 (III of 1898) the Government of Bombay is pleased to constitute for the leper asylum at Kusgaon in the Roha taluka of the Kolaba District a Board consisting of the following members, namely;-

1 The Collector of Kolaba.

2 The Civil Surgeon, Alibag,

3 The Executive Engineer, Alibag.

4 An Officer nominated by the Backward Class Officer, Bombay Province.

By order of the Governor of Bombay,

Secretary to Government.

Sl. 107/5/56
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NOTIFICATION

General Department,

Bombay Castle, 1947.

Lepers Act, 1898. No. In exercise of the powers conferred by section 4 of the Lepers Act, 1898 (III of 1898), the Government of Bombay is pleased to appoint the Medical Officer in charge of the Leper Hospital at Pui in the Roha taluka of the Kolaba district to be the Superintendent of the said Asylum.

By order of the Governor of Bombay,

Secretary to Government.

10/5/56
4 Copies.

NOTIFICATION

General Department,

Bombay Castle, 1947

Lepers Act, 1898 No. In exercise of the powers conferred by section 4 of the Lepers Act, 1898(III of 1898), the Government of Bombay is pleased to appoint the following persons to be Inspectors of Lepers, namely;-

1) The Civil Surgeon, Alibag.
2) The Medical Officer in Charge, B.J.Hospital, Matheran.
3) The Medical Officer in charge of Dispensaries at Mahad, Roha, Panvel, Pen Uran and Revadanda

By order of the Governor of Bombay,

Secretary to Government.

NOTIFICATION

General Department,

Bombay Castle, 1947.

Lepers Act, 1898

No. In exercise of the powers conferred by section 9 of the Lepers Act, 1898(III of 1898), the Government of Bombay is pleased to order that no leper shall, within the areas specified in the Schedule hereto annexed.

(i) personally prepare for sale or sell any article of food or drink or any drugs or clothing intended for human use; or

(ii) bathe, wash clothes in, or take water from any public well or tank,

(iii) drive, conduct or ride in any public carriage plying for hire other than a railway carriage: or

(iv) exercise any of the following trades or callings, namely, the trade or calling of potter, fisherman, domestic servant, water carrier, washerman, barber, hotel-keeper, medical practitioner, midwife, school-teacher (except when employed in a Leper Asylum), tailor, draper, shoemaker, cobbler, gardner or prostitute.

Schedule

(Here mention areas)

By order of the Governor of Bombay,

Secretary to Government.

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NOTIFICATION

General Department,

Bombay Castle, 1947.

Lepers Act, 1898 No. In exercise of the powers conferred by section 15 of the Lepers Act, 1898(III of 1898), the Government of Bombay is pleased to appoint the Civil Surgeon, Alibag, to be the officer to whom appeals may be made against the issue or refusal of certificates in forms B and A, respectively, set forth in the schedule appended to the said Act.

By order of the Governor of Bombay,

Secretary to Government.

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NOTIFICATION

General Department,

Bombay Castle, 1947.

Lepers Act, 1898. No. In exercise of the powers conferred by section 10 of the Lepers Act, 1898 (III of 1898) the Government of Bombay is pleased to make the following rules for the leper asylum at Pui in the Roha taluka of the Kolaba district, namely:-

1 These rules may be called the Pui Leper Asylum Rules, 1947.

2 In these rules, unless there is anything repugnant in the subject or context,-

(a) "Act" means the Lepers Act, 1898;

(b) "Asylum" means the Leper Hospital at Pui in the Roha taluka of the Kolaba district;

Insert slip A here

Slip A

(c) "Board" means a Board for the asylum constituted under section 5 of the Act

(d) "Form" means a form appended to these rules

(e) "President" means the President of the Board;

(f) "Superintendent" means the Superintendent of the asylum appointed under section 4 of the Act

3 The asylum shall be under the of the Superintendent and shall be subject to inspection and supervision by the Board.

4 (1) The Board shall meet at least once every six months for the transaction of business at such place as may be fixed by the President. The President may also call a special meeting at any time. Two members shall a quorum.

The proceedings of the Board shall be recorded in a minute book to be kept for that purpose.

(2) The Board at its ordinary meeting shall appoint two or more of its members, one of whom shall be the Medical Officer to fulfill the requirements of section 13 of the Act, until the date of its next meeting.

(3) The inspection book kept under section 13 of the Act shall be laid before the Board and the members of the Board may enter therein any remarks that they may deem proper in regard to the condition of the asylum and such of the inmates as have been admitted therein and any suggestions for the management of the asylum.

5. The President shall submit to the Surgeon General with the Government of Bombay a copy of all remarks entered by the members of the Board in the inspection book kept under section 13.

6(1) When a Magistrate sends a leper to the asylum under section 8 of the Act, he shall cause to be attached to the warrant of detention which shall be in form C (in the Schedule appended to the Act) a descriptive roll of the leper containing the following particulars, namely;-

(a) Name.

(b) Father's name

(c) Age, height and general appearance.

(d) Sex.

(e) Caste or religion.

(f) Place of abode.

(g) Occupation.

(h) Family history, if known.

(i) List of property sent with the leper.

(2) No Magistrate shall send a leper to the asylum without first ascertaining from the Superintendent that accommodation is available, for his reception.

7(1) The Superintendent shall be responsible for the carrying out of all rules and orders affecting the asylum, for the maintenance of order and discipline therein, and for the comfort and well-being of the inmates and their general and medical treatment.

(2) The Superintendent shall report to the President, as soon as it occurs, every case of—

(i) escape;

(ii) breach of discipline;

(iii) death;

(iv) outbreak of any epidemic disease and measures to prevent its spreading.

(3) In case of escape of an inmate the Superintendent shall also forward a report to the Police Sub-Inspector within whose jurisdiction the asylum is situated, with a description of the leper to enable the police to take measures to effect a recapture.

8(1) The Superintendent shall be in charge of the medical section of the asylum and in the performance of his duties he shall be subject to the control and supervision of the Civil Surgeon of the Kolaba district.

(2) He shall keep a case book as provided in rule 17 for each inmate of the asylum.

(3) In the event of an outbreak of any epidemic disease, he shall report the fact immediately to the Civil Surgeon of the Kolaba district.

9. When a leper is admitted into the asylum the Superintendent shall, after satisfying himself that the certificate and the warrant of detention in Forms B and C, respectively, are in order, make the necessary entries regarding the leper in the General Register kept under rule 17 and see that the necessary treatment is accorded.

10(1) The Superintendent shall take charge of and make an entry in the General Register maintained under rule 17 regarding the clothes and property brought by any leper into the asylum.

(2) No article shall be brought into the asylum without the permission of the Superintendent.

11 The scale of diet, the hours of meals and the general routine of the asylum shall be prescribed by the Superintendent, subject to the approval of the Board.

12) The inmates of the asylum shall obey all orders lawfully given by the Superintendent

13) The paper lepers shall be employed on such light occupation as may be determined by the Superintendent subject to approval of the Board

14 Every inmate of the asylum shall be permitted the free exercise of his religion and the practices of his community.

15 Friends and relatives of inmates shall be allowed to visit them at stated times with the permission of the Superintendent.

16 Subject to any general or special directions of the Board, breaches of discipline shall be punished by the Superintendent at his discretion. All orders of punishment shall be entered in a register kept for the purpose, which shall be submitted regularly for the approval of the Board.

17(1) The Superintendent shall maintain--

(i) a General Register in Form I

(ii) a Punishment Register in Form II

(iii) a Case Book in Form III.

(2) He shall furnish annually to the Board the following returns, namely;-

(i) a Case Book in Form III

(ii) A return of admissions and discharges in Form IV, and

(iii) A return of patients in Hospital in Form V.

SCHEDULE

Form I

General register of the Lepers confined in the asylum during the year 19 .

(see Rules 9 and 17).

(Here enter A-A on page 434 in C.D. Volume 108 of 1911).

Form II

Register showing the punishments inflicted by order of the Superintendent.

(see Rule 17)

(Here enter B-B on page 435 in C.D. Volume 108 of 1911).

Form III

Case-book for the Asylum.

(See Rule 17).

(Here enter C-C on page 236 in C.P. Volume 103 of 1911).

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Form IV

Return of admissions into and discharge from the Asylum during the year 19 .

(See Rule 17).

(Here enter D-D on page 236 in C.P. Volume 103 of 1911).

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Form V

Return of patients in the Hospital of the Asylum for the year 19 .

(See Rule 17)

(Here enter E-E on page 236 in C.P. Volume 103 of 1911).

By order of the Governor of Bombay,

Secretary to Government.

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Office of the R.L.A.

If the medical officers of particular local Bodies are "qualified medical men" within the meaning of section 4 of the Lepers Act, 1898(III of 1898), there is no legal objection to appointment as Inspectors thereunder. But the expression "Medical officers of the local Bodies" is very general and very wide. It will therefore be necessary to appoint particular qualified men of the local Bodies concerned, namely, the Poona City Municipality, the Poona Suburban Municipality, Poona and Kirkee Cantonment Boards, as Inspectors. Such appointments can be made by virtue of office (cf. section 16 of the General Clauses Act, 1897(X of 1897). Accordingly, if the G.P. wants to appoint, in place of particular medical practitioners registered under the Bombay Medical Act, 1912, as proposed in clause (iv) of the revised draft notification at p. 36, Medical Officers of the local bodies concerned, it may do so, but that Department should satisfy itself that they are "qualified medical men" within the meaning of the said section 4 and that they are specified in accordance with the medical office of the particular local Bodies concerned. In this connection it may be pointed out to the G.P. that under section 34(5)(a) of the Bombay Municipal Act, 1925, power is given to a Borough Municipality to appoint health officers.

Id./ P.M.V.

Remembrancer of Legal Affairs.

U.O.R. to G.P. No. 2124 Dated the 4th March 1947.

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